

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Eastern District of Virginia

JUN - 9 2016
CLERK, U.S. DISTRICT COURT
RICHMOND, VA

United States of America
v.

Anthony Bernard Tharpe

Defendant(s)

Case No. 3:16-mj-144

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 20, 2016 in the county of Fairfax in the
Eastern District of Virginia, the defendant(s) violated:

Code Section
18 U.S.C. Section 1708

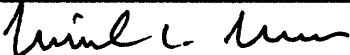
Offense Description
Theft and Attempted Theft of Mail

This criminal complaint is based on these facts:
See Attached Affidavit

☒ Continued on the attached sheet.

Reviewed by AUSA/SAUSA:

Michael C. Moore



Sworn to before me and signed in my presence.

Date:

6/9/2016

City and state: Richmond, Virginia

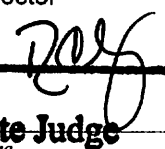


Complainant's signature

Nicholas R. Williamson

Printed name and title

U.S. Postal Inspector

Is/ 
Roderick C. Young
United States Magistrate Judge
Judge's Signature

Roderick C. Young, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Nicholas R. Williamson, being duly sworn, depose and state as follows:

I. INTRODUCTION

1. I am a Postal Inspector with the United States Postal Inspection Service (“USPIS”), assigned to the Washington Division, having been so employed since January 2012. I am currently assigned to the Northern Virginia Mail Theft Team at the Merrifield, Virginia Domicile. Prior to joining the USPIS, I served as a Special Agent with the U.S. Department of Energy (“DOE”), Office of Inspector General (“OIG”) for approximately two years and four months. I am a graduate of the Criminal Investigator Training Program (“CITP”) conducted at the Federal Law Enforcement Training Center (“FLETC”), in Glynco, Georgia.

2. My duties and responsibilities as Postal Inspector include, but are not limited to, conducting investigations into the theft of U.S. Mail in the Eastern District of Virginia in violation of federal law, including Title 18, United States Code, Section 1708, (Theft or receipt of stolen mail matter generally).

II. PURPOSE OF AFFIDAVIT

3. This affidavit is made in support of an application for a criminal complaint and arrest warrant for **ANTHONY BERNARD THARPE (“THARPE”)** for violation of Title 18, United States Code, Section 1708 (Theft or receipt of stolen mail matter generally).

III. BASIS OF AFFIDAVIT

4. The facts and conclusions set forth in this affidavit are based upon information I have gained from my investigation, my personal observations, my training and experience, my review of video recordings made during this investigation, and/or information provided to me by other Postal Inspectors, Analysts, witnesses and/or victims. Because this affidavit is made for the

limited purpose of establishing probable cause for issuance of a criminal complaint and arrest warrant, I have not included each and every fact learned during the course of this investigation. I have set forth the facts that I believe are sufficient to establish probable cause that **THARPE** has committed a violation of Title 18, United States Code, Section 1708.

IV. OVERVIEW OF INVESTIGATION

5. Title 18, United States Code, Section 1708 (Theft or receipt of stolen mail matter generally), makes it a felony for anyone to steal or attempt to steal U.S. Mail or its contents from any letter box, mail receptacle, or any mail route or other authorized depository for mail matter.

6. Beginning in or around December 2015, the USPS Washington Division began investigating individuals involved in the theft of U.S. Mail from mail receptacles in business parks located in the Eastern District of Virginia.

7. **THARPE** has been identified as a person who broke into a mailbox located at 7907 Kincannon Place, Lorton, Virginia 22079, on March 20, 2016.

V. FACTS SUPPORTING PROBABLE CAUSE

8. On December 22, 2015, Lorton, Virginia Postmaster Attila Pupos notified the USPS of the break-in of mail receptacles in Lorton, Virginia business parks, to include the mailbox located at 7907 Kincannon Place, Lorton, Virginia 22079.

9. Nationwide, the USPS has been investigating a mail theft and bank fraud scheme dubbed "Operation Homeless."

10. Based on the investigation by Postal Inspectors, other law enforcement agencies, and with my training and experience, I understand that the "Operation Homeless" mail theft and bank fraud scheme generally work as follows:

11. The "Operation Homeless" scheme originated in the Atlanta, Georgia area and involves the use of individuals from the Atlanta, Georgia area. U.S. Mail is stolen from mail receptacles in business parks to obtain original business checks. The checks contain the bank routing and account number information and the means of identification of the authorized signors on the account of the victim business.

12. Counterfeit checks are then produced containing the stolen bank routing and account number information and the means of identification of the authorized signors on the account.

13. The conspirators use the means of identification of the account holders with the intent to defraud Federal Deposit Insurance Corporation ("FDIC") insured financial institutions ("banks") by passing the counterfeit checks at the banks in order to obtain moneys and funds from the banks by means of false and fraudulent pretenses, representations, and promises, knowing that the account holders did not authorize the use of their means of identification, nor did the conspirators have lawful authority to do so.

14. On December 22, 2015, I responded to Service Mechanical Incorporated, 7907 Kincannon Place, Lorton, Virginia 22079, to investigate the report that their lockable mailbox was broken into. Investigation revealed that on three (3) prior occasions, in October 2015 and November 2015 as well, Service Mechanical Incorporated had their mailbox broken into. The stolen mail consisted of business checks sent to Service Mechanical Incorporated by customers and clients.

15. Service Mechanical Incorporated reported additional break-ins of their mailbox to include December 26, 2015 and January 30, 2016. On March 21, 2016, I received a telephone call from Mark Oglevee ("OGLEVEE"), Account Manager, Service Mechanical Incorporated

notifying me of another mailbox break-in which occurred the evening prior, on March 20, 2016. OGLEVEE stated that on the morning of March 21, 2016, he noticed that the lockable door of the mailbox was hanging open. OGLEVEE, along with Bo Seng ("SENG"), General Manager, Global Contractor Supply, reviewed footage from a surveillance camera trained on the area that includes the mailbox, and isolated video from March 20, 2016 which showed a subject forcing entry into the mailbox at approximately 8:33 PM. OGLEVEE also stated that since discovering that the mailbox had been broken into, no one else had touched it.

16. I reviewed the surveillance footage which showed that at approximately 8:32PM, a light-colored pickup truck drove northbound on Kincannon Place past Service Mechanical Inc. The vehicle then turned around out of view of the camera and drove back southbound, subsequently stopping on Kincannon Place next to the mailbox of Service Mechanical Inc. A male subject is then observed exiting the driver's side of the vehicle and walking up to the mailbox. The subject is observed placing his left-hand on the mailbox in an attempt to brace it, while simultaneously attempting to pry open the mailbox with a tool in his right-hand. The subject is then able to gain entry into the mailbox, as the lockable door is seen falling open. After opening the mailbox, the subject looks in and then attempts to close the lockable door but is unsuccessful. The subject then re-enters his vehicle, drives off and is seen turning westbound onto Hill Park Drive and stopping in front of another set of mailboxes. However, the vehicle is too far from camera view and the video concludes.

17. After reviewing the surveillance video, I examined the mailbox. The mailbox is constructed of aluminum or thin sheet metal and is painted in a gloss black. The mailbox was covered in dirt and dust, except where I noticed three (3) latent fingerprint impressions on the top of the mailbox where the dirt had been disturbed.

I requested assistance in lifting the fingerprints from the Fairfax County Police Department. Officer B.K. Blymyer, #3701, developed and lifted the latent fingerprints. The lifted prints were placed on a "Fairfax County Latent Evidence" Card and then placed into a "Fairfax County Police Property & Evidence Envelope" and sealed and initialed by me. U.S. Postal Inspection Service Property Evidence Acquisition Program ("PEAP") label #IS0000635472 ("EXHIBIT 1") was applied to the evidence bag and subsequently entered into evidence.

18. On March 22, 2016, I hand-delivered EXHIBIT 1 to the U.S. Postal Inspection Service Forensic Laboratory Services ("FLS") located in Dulles, VA. A request to search the unidentified fingerprints in the Integrated Automated Fingerprint Identification System ("IAFIS") database was requested.

19. On March 23, 2016 I received notification from Norberto Rivera, Forensic Latent Print Analyst, Sr., FLS who informed me that one usable fingerprint on the lift card was identified as the left index finger of **THARPE**, FBI No. 148640NA9. A search of the National Crime Information Center ("NCIC") computerized database identified, FBI No. 148640NA9 as belonging **THARPE**. It also linked **THARPE** to a specific date of birth and social security number.

20. A search of the Georgia Department of Driver Services database revealed that a 2014 Chevrolet Silverado, silver in color, bearing Georgia registration DVF967 is registered to **THARPE**. **THARPE** also had an address in Atlanta, Georgia on file with the Georgia Department of Driver Services.

21. Additional open source research on **THARPE** identified a publicly viewable Facebook account listed under the name "Anthony Tharpe." Further review of the account

revealed two (2) publicly viewable photographs of **THARPE** posing next to a silver Chevrolet Silverado pickup truck. A review of the surveillance video and a review of the photographs on **THARPE'S** Facebook account show that the vehicles appear to be one in the same. This is noted by the after-market or non-factory custom rims installed on the vehicle.

21. Based on the foregoing information, your affiant respectfully submits that probable cause exists to arrest and charge **ANTHONY BERNARD THARPE** for violation of Title 18, United States Code, Section 1708, theft or receipt of stolen mail matter generally.



Nicholas R. Williamson
Postal Inspector

Subscribed and sworn before me on June 9, 2016.

/s/ 
Roderick C. Young
United States Magistrate Judge